

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV792MLM
)
MIDWEST COAL, LLC.,)
)
Defendant.)

ORDER

This matter is before the Court on the Suggestion of Bankruptcy filed by defendant, Midwest Coal, LLC. [Doc. 2]

Defendant states that on March 16, 2005, defendant filed for bankruptcy protection pursuant to Title 11 of the U. S. Bankruptcy Code in Case No. 05-50313. Therefore this case must be stayed pending the completion of bankruptcy proceedings. Based on its review of the file, the Court concludes that this file should be administratively closed until such time as the bankruptcy proceedings have been finally concluded and Court action is required.

This file will be reopened upon motion of either party, which motion shall include:

- (a) a statement of the facts and procedural history of this case, including significant actions taken in proceedings before the United States Bankruptcy Court;
- (b) the issues remaining for determination;
- (c) the potential for settlement, and the status though not the content of any offers of settlement;
- (d) whether a Rule 16 scheduling conference is requested;
- (e) whether it is anticipated that there will be significant pretrial motion practice, including the filing of dispositive motions;

(f) when it is reasonably likely the case would be ready to proceed to trial;
and

(g) the estimated length of trial.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court shall administratively CLOSE this file, which shall be subject to reopening on motion of either party as set forth in this order.

/s/Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

Dated this 8th day of June, 2005.